IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,			
Plaintiff,	8:17CR35		
vs. JORGE HERRERA VARGAS, Defendant.	DETENTION ORDER PENDING TRIAL		
	ring pursuant to 18 U.S.C. § 3142(f) of the Bail ned defendant detained pursuant to 18 U.S.C.		
The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.			
a maximum penalty of <u>2</u> (b) The offense is a crime of <u>2</u> (c) The offense involves a	Report, and includes the following: the offense charged: a removed alien is a serious crime and carries 2 years imprisonment. of violence.		
affect whether to the defendant of the d			

		X The defendant has a prior record of failure to appear at court proceedings.
	(b)	At the time of the current arrest, the defendant was on: Probation
		Parole
		Supervised Release
		Release pending trial, sentence, appeal or completion of sentence.
	(c)	Other Factors:
		X The defendant is an illegal alien and is subject to deportation.The defendant is a legal alien and will be subject to deportation if convicted.
		 X The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal.
		X Other: Prior removal in 2007; Four (4) convictions for Driving Under the Influence in 2001, 2006, 2009, 2016.
 (4) are as	The r	nature and seriousness of the danger posed by the defendant's release s:
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D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 1st day of March, 2017.

BY THE COURT:

s/ F.A. Gossett, III United States Magistrate Judge